

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Bush Sand & Gravel Tenmile Pit
DOI-BLM-AZ-P020-2011-020-CX**

A. Background

BLM Office: *Lower Sonoran Field Office (LSFO)*

Lease/Serial/Case File No.: **AZA-35689**

Proposed Action Title/Type: Bush Sand & Gravel/Non-competitive Mineral Material Sale

Location of Proposed Action: **T. 11 S., R. 6 W., Section 11, SW1/4SW1/4SE1/4 (part);
G&SRM, Arizona.**

Description of Proposed Action: Allow continued operations by Bush Sand & Gravel as authorized under expired mineral materials contract AZA-33030. Current operator, Bush Sand & Gravel requests new contract for removal of 30,000 tons of sand and gravel over a term of 5 years, with temporary placement of portable processing equipment (screens only) on site during operations. No new disturbance is authorized and total area remains within approved operating area as defined in AZ-210-2005-0027. Total disturbance remains below 5 acre threshold.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Lower Gila South RMP & EIS

Date Approved/Amended: **6/1/1988**

☒ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

☐ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

pg. 12, "Demand for saleable minerals would be met by sales or free-use permits on a case-by-case basis". This proposed action has been reviewed for conformance with this plan (43 CFR 1610.5-3, BLM Manual 1601.04.C.2).

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.5: Department Manual 516 DM 6, Appendix 5.4F(10) – Disposal of mineral materials such as sand, stone, gravel, pumice, not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas. Prior NEPA analysis, CX AZ-210-2005-0027 dated 03/17/2005.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The

proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 or 516 DM 11.5 apply.

I considered the following when reviewing the proposed project:

Approved project area has not changed as defined in AZ-210-2005-0027. Cultural clearances have been performed for this site under two separate prior approved mineral material contracts, AZA-30755 and AZA 33030. In addition, an archaeological clearance was performed in January 2006, by BLM personnel for a 1.3 acre expansion of the active mine area in order to access additional quality material. In all cases, cultural clearance was recommended with standard stipulations.

No land-use authorizations have been identified in or around the proposed project area. Additionally, no impacts to recreation or visual resources have been identified; no T&E habitat or species are identified within the project area. Although located within a grazing allotment, no issues were identified since current disturbance is small and no expansion is proposed. Standard stipulations will apply.

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by:

Karen Conrath
Project Lead

Reviewed by:

Leah Baker
Planning & Environmental Coordinator

Approved by:

Emily Garber
Manager

Contact Person

For additional information concerning this CX review, contact:

Karen Conrath, Geologist, LSFO

Note: A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances¹

Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Mining activities will be regulated by the following permit: MSHA 0202764, State of Arizona, Department of Mine Inspection. Applicable NPDES, Individual Pima County Air Quality Permit, and SPCC Plan permits are not required since no crushing operations are located on site. No water is used in processing, therefore no discharge will impact Tenmile Wash. A water truck will control fugitive dust emissions on haul road as required. Operator is subject to Arizona Department of Environmental Quality (ADEQ) emission standards, which will be verified through inspections.</i>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Cultural clearances have been performed on several different occasions, with clearance recommended. Compliance with Section 404 of Clean Water Act is regulated under the terms of Nationwide Permit No. 26, Headwaters and Isolated Waters Discharges. No other impacts to additional resources outlined above are present.</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Current operator, Bush Sand & Gravel has operated under prior mineral material contracts since 1979. No controversial or unresolved conflicts have been identified during their tenure.</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Environmental effects are considered insignificant due to the predictable outcome of the operations on this site. The operator has been conducting activity on this site for over 30 years, with no significant environmental effects.</i>
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		

¹ If an action has any of these impacts, you must conduct NEPA analysis.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Due to the location of the site, close to the northern boundary of the Barry Goldwater Range, opportunity for expansion of this use into adjacent areas is limited.</i>
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>The small size of the project area does not adversely impact any other uses identified in the area. Only other identified use is grazing, with no perceived impacts.</i>
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>See clearance attached.</i>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>See clearance attached.</i>
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Non identified.</i>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>Operator supports self and one driver during normal operations. Provides mineral materials for greater Ajo area.</i>
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>No sacred sites have been identified within authorized operating area.</i>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: <i>No water is used on site during processing. Dry screened material is stockpiled until transport. Ten Mile Wash will remain intact and banks will be preserved. Active pit area is devoid of vegetation due to mining activities. Natural undisturbed ground surrounding the site has been preserved. Reclamation will consist of reshaping area to prior disturbance condition.</i>

Decision
Attachment 2

Project Description:

BLM would issue a mineral materials contract not to exceed 30,000 tons (approximately 20,000 yds³) over a period of five years. Mining activities will be confined to existing disturbance, and will remain within existing approved operating area. No new disturbance is authorized, total disturbance remains below 5 acre threshold.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

See special stipulations attached for contract AZA-35689.

Approved By: _____ **Date:** _____

Emily Garber
Manager